

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

TICORA WILLIAMS,

Civil Action File No.
1:11-cv-03712-RLV

Plaintiff,

v.

WAL-MART STORES EAST, LP,

Defendant.

/

**PLAINTIFF'S SECOND REQUEST FOR PRODUCTION OF
DOCUMENTS TO DEFENDANT**

TO: Wal-Mart Stores East, LP
c/o Albert J. DeCusati, Esq.
3445 Peachtree Road, N.E.
Suite 500
Atlanta, Georgia 30326-1276

Pursuant to Federal Rules of Civil Procedure 26 and 34 (a) (1), Plaintiff hereby requests that Defendant respond separately, in writing and under oath to the following request for production of documents within thirty (30) days from the date of service as provided by law, with a copy of the responses being served upon the undersigned counsel of record for the Plaintiff at CASH, KRUGLER & FREDERICKS, LLC, 5447 Roswell Road, N.E., Atlanta, Georgia 30342-1911.

DEFINITIONS AND INSTRUCTIONS

- A. This request for production of documents and notice to produce shall be



deemed continuing to the extent permitted by Federal Rules of Civil Procedure 26 and 34, so as to require Defendant to serve or produce upon all parties supplemental answers or documents if Defendant or its attorneys obtain further information between the time the answers are served and the time of trial. Plaintiff also requests that Defendant produce the originals of each document at trial and any deposition of Defendant or its agents or employees.

B. "Document," whether singular or plural, means documents and other tangible things defined in the broadest sense permitted by the Federal Rules of Civil Procedure and shall include without limitation originals or, if such are not available, true copies, including copies of documents, videotapes, computer data, and sound material.

C. "Person" means any natural person, corporation, partnership, association, governmental entity, agency, group, organization, etc.

D. If a requested document is no longer in your possession, custody or control, please identify the document with specificity.

E. If you object to part of a request, please identify any documents withheld. If you object to the scope or time period of the request, please answer the request for the scope or time period you believe is appropriate.

F. If you assert the attorney-client privilege or work-product exclusion as to

any document requested by any of the following specific requests, please identify the document in sufficient detail to permit the Court to reach a determination in the event of a Motion to Compel.

REQUEST FOR PRODUCTION

Defendant is requested to produce each of the following:

1.

Please permit Plaintiff to inspect and copy the original claim folder for the September 23, 2010, incident involving Ticora Williams at Defendant's store.

2.

Please permit Plaintiff to inspect and copy the original CMI claim forms for all other similar incidents at Defendant's store as identified in the General Liability Slip and Fall Incidents Table marked as Exhibit 19 to the deposition of William Brock.

3.

Please produce color copies of screen shot stills for each and every surveillance camera located in or near the area where Plaintiff Ticora Williams slipped and fell on September 23, 2010.

Defendant is requested to comply with such requests by permitting counsel for Plaintiff to inspect the original of each and every responsive document during the inspection of Defendant's premises scheduled for April 13, 2012, as more fully set forth in Plaintiff's Notice of Inspection. Defendant is further requested to provide true and accurate color copies of the original of each and every responsive document by hand delivery to Plaintiff's counsel or by mailing same to CASH, KRUGLER & FREDERICKS, LLC, 5447 Roswell Road, Atlanta, Georgia 30342, within the time period required by law.

This 14th day of March, 2012.

Respectfully submitted,

CASH, KRUGLER & FREDERICKS, LLC

/s/ James A. Robson
Andrew B. Cash, Esq.
Georgia Bar Number 743459
James A. Robson, Esq.
Georgia Bar Number 551053

5447 Roswell Road, N.E.
Atlanta, Georgia 30342
(404) 659-1710
acash@ckandf.com
jrobson@ckandf.com
Counsel for Plaintiff

Local Rule 5.1 and 7.1 Certification

Pursuant to Local Rules 5.1 and 7.1, counsel for the Plaintiff certifies that the document has been prepared in Times New Roman, 14-point font, and that the document does not contain more than 10 characters per inch of type.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing **PLAINTIFF'S**
SECOND REQUEST FOR PRODUCTION OF DOCUMENTS TO
DEFENDANT with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to attorneys of record:

Albert J. DeCusati, Esq.
Ashley A. Bagiatis, Esq.
3445 Peachtree Road, N.E., Suite 500
Atlanta, Georgia 30326
T: (404) 365-4512
F: (404) 364-3138
adecusati@mclain-merritt.com
ashley.bagiatis@mclain-merritt.com

This 14th day of March, 2012.

CASH, KRUGLER & FREDERICKS, LLC

/s/ James A. Robson
Andrew B. Cash, Esq.
Georgia Bar Number 743459
James A. Robson, Esq.
Georgia Bar Number 551053

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Counsel for Plaintiff